

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

CHARLES ISELEY,
Plaintiff,
v.

W. CONWAY BUSHEY, et al.,
Defendants.

Civil Action No.

1:00-CV-00577

FILED
HARRISBURG

DEC 21 2000

MARY E. D'ANDREA, CLERK
Per MA DEPUTY CLERK

REPLY BRIEF TO DEFENDANTS' BRIEF IN OPPOSITION
TO PLAINTIFF'S MOTION FOR A TEMPORARY
RESTRAINING ORDER AND/OR PRELIMINARY INJUNCTION

Basically, the defendants offer no evidence whatsoever to dispute plaintiff's assertion that they are deliberately maintaining false and/or inaccurate data in his files regarding his sentence in order to retaliate against him for exercising his rights. The defendants only offer commitment papers and a false declaration.

Accompanying this brief is a Declaration with plaintiff's sentence orders and a portion of his sentencing transcript which are irrefutable.

The fact that plaintiff's sentences are partially concurrent and partially consecutive renders them illegal. Com v. Ward, 568 A.2d 1242 (Pa. 1990).

However, that is irrelevant. The crux of the matter at hand is whether the defendants have the authority to modify any of plaintiff's sentences.

According to the Pennsylvania Supreme Court, the only entity which has the authority to modify a defendant's sentence is the Trial court and that authority can only be usurped by the legislature. Com. v. Ward, 568 A.2d 1242 (Pa. 1990).

In the case at bar, plaintiff's sentence order clearly and specifically states that the 5 to 10 year term begin and take effect at the minimum expiration of all the concurrent terms and therefore it began in July of 1990.

The defendants do not have the authority to ignore the order and to capriciously and arbitrarily modify plaintiff's sentence.

Moreover, the fact that after 1978, the only sentence plaintiff could have been serving was the 5 to 10 year term but the defendants had his files deliberately incorrectly stating that he was serving a sentence of 12 1/2 to 25 years for seven cases even though he only had a 5 to 10 for one case.

The denial of parole based on inaccurate data is a violation. Monroe v. Thigpen, 932 F.2d 1437 (11th Cir. 1991). Accurate sentence data is also required. Sampe v. Diecks, 885 F.2d 1099 (3rd Cir. 1989).

Conclusion

Wherefore the court should grant plaintiff's motion.

Respectfully submitted,

Date: December 18, 2000

Charles Iseleg
Charles Iseleg
AM-9320, 1 Kelley Dr
Coal Twp., PA 17866

6. Consequently I was sentenced to a maximum of 87 years ($5 \cdot 15 + 2 + 10 = 87$) and my aggregated sentence was $12\frac{1}{2}$ to 25 years.

7. The accompanying sentence transcript portion and sentence orders verify the above facts.

8. In 1985 I should have received two years credit for serving the entirety of the 1 to 2 year term from January 1983 to January 1985.

9. In 1998 I should have received 75 years credit for serving the entirety of each of the $7\frac{1}{2}$ to 15 year terms from January 1983 to January 1998 ($5 \cdot 15 = 75$).

10. In 1999 I should have received 10 years credit for serving the entirety of the 5 to 10 year term from January 1983 to December 1983 plus July 1990 to August 1999.

11. Thus, in 15 years, from 1983 to 1998, I accrued 77 years of credit for all the concurrent terms ($5 \cdot 15 + 2 = 77$) and in 10 years, from January 1983 to December 1983 plus July 1990 to August 1999, I accrued 10 years of credit for the 5 to 10 year term.

12. As a result, I accrued 87 years, which is exactly the ~~maximum~~ amount I was ordered to serve ($5 \cdot 15 + 2 + 10 = 87$).

13. It is axiomatic that 15 years plus 10 years equals 25 years, which is exactly the aggregated maximum sentence.

14. Nevertheless, I am still in prison because the defendants claim that they have the authority to order my 5 to 10 year term to begin at the maximum expiration of my concurrent terms regardless of what the trial court sentenced me to and what the sentence orders specifically state.

15. They are doing it to retaliate against me for filing legal actions and grievances,

16. After January 1998, the only term I could have been serving was the 5 to 10 year term.

17. However, the defendants continue to falsely and inaccurately maintain my records showing that I was serving a 25 year sentence for seven cases - which was not true.

18. I was only serving a 5 to 10 year sentence after 1998 for one case and the defendants' intentional refusal to acknowledge this has had expected adverse past & future consequences.

Date: December 18, 2000

Charles Iseley
Charles Iseley

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

CHARLES ISELEY
Plaintiff,

v

W. CONWAY BUSHEY, et al.,
Defendants

Civil Action No.

1:00-CV-00577

CERTIFICATE OF SERVICE

I hereby certify that I caused to be served the foregoing Reply Brief to Defs.' Brief in Opposition to Plaintiff's Motion for the and/or Preliminary Injunction, and Declaration by mailing copies of same to:

Maryanne Lewis, dep. atty gen.
Office of Atty. Gen.
Strawberry Sq.
Harrisburg, PA 17120

Date: December 18, 2000

Charles Isely
Charles Isely

1 assume the time served is sometime shortly after the
2 date of the Collins offense. I note on the
3 pre-sentence investigation report of Mr. Metzler
4 that it notes that credit time should be given from
5 January 25, 1983 to present, whether that is the
6 exact date or not I am not sure. I assume that they
7 were arrested --

8 MR. GOLDMAN: Iseley was one day
9 less.

10 MR. THOMPSON: The preliminary
11 arraignment, Your Honor, was 1:00 a.m. on January
12 22nd.

13 THE COURT: That would be the date
14 custody?

15 MR. GOLDMAN: Metzler had one day on
16 the street.

17 THE COURT: For record purposes, in
18 all of Mr. Iseley's cases he should be given credit
19 for time served since January 22, 1983 as against
20 all of the sentences imposed. I assume the date is
21 January 23 then, is that correct?

22 MR. BRILL: I don't know what the
23 date is.

24 THE COURT: We will make it for
25 record purposes as January 22, 1983. We will make

PROS. OTM
 SURCHARGE BUCKS COUNTY
 SENTENCE SHEET
 COMMONWEALTH v. Charles Bailey
 JUDGE: G. T. Wilton
 D.A. G. T. Wilton
 PD/DEF J. Thompson
 DATE: 11/10/00
 ACCOMPANYING CASES: 83-1372-1374
375-1576
1-1-1573
 NO. 83-1373
 CLERK: J. J. Blinn
 NOTES BY: J. J. Blinn
 BUCKS COUNTY PRISON

On Information No. 19 the Court (having received or waived a pre-sentence investigation) orders and directs that the defendant pay the cost of prosecution and undergo imprisonment in the Bucks County Prison for not less than 1 nor more than 1 and stand committed until sentence is complied with. Credit is to be given for all time spent in custody as is provided for by Sec. 1360 of the Sentencing Code of 1974 and by Pa. Rule of Criminal Procedure 1406 (b) and (c).

STATE PENITENTIARY

On Information No. 1373 1983 the Court (having received or waived a pre-sentence investigation) orders and directs that the defendant pay the cost of prosecution and undergo imprisonment for not less than 7 1/2 years nor more than 15 years in a State Correctional Institution as shall be designated by the Bureau of Correction and, therefore, sent to the Correction Diagnostic and Classification Center in Graterford, Pa., for this purpose. Credit is to be given for all time spent in custody as is provided for by Sec. 1360 of the Sentencing Code of 1974 and by Pa. Rule of Criminal Procedure 1406 (b) and (c). Defendant is directed to stand committed until judgment be fully complied with.

AND

On Information No. 19 the defendant having waived his right to a speedy trial is released on probation for a period of 12 months upon the following conditions. Defendant is directed to pay court costs and make restitution in the sum of \$ 0 within a period of 0 months, and shall follow all specific conditions as hereinafter set forth.

ON INFORMATION NO. 19

the defendant is released on probation for a period of 12 months under the supervision of the (Bucks County Probation Officer on State Parole Board) from the following conditions. Defendant to pay cost of prosecution and in lieu of a fine pay \$ 0 for the use of the County of Bucks (and make restitution in the sum of \$ 0 in monthly installments of \$ 0 by making payment to his probation officer) and abide by the rules and regulations laid down by his probation officer, obey the law in all other respects and stand committed until the same be complied with.

1373-83

9.00 T
 60.00+
 3.00+
 174.34+
 237.34 S
 6.48+
 243.82 S
 10.00+
 6.00+
 10.00+
 271.82 T

Act Attorney a

Imposed on Inform
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19 def
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 further penal

FINE ONLY

On Information No. 19, the
 is able to pay a fine orders and directs the
 prosecution and a fine in the sum of \$
 use of the (State Treasurer or the County of
 are to be paid in equal monthly

SPECIAL PROVISIONS:

Costs 6 Mo. after release
 Concurrent with 83-12
 83-12
 83-13
 83-13

Credit for time served

PROS: _____
 SURCHARGE: _____
 BUCKS COUNTY
 SENTENCE SHEET
 COMMONWEALTH v. Charles Delaney
 JUDGE: C.T. Voth
 D.A. R. Holden
 PD/DET T. Thompson
 DATE: 12/1/00
 OTM: _____
 ACCOMPANYING CASES: 83-13722-11473
83-13722-11513
137-11514
 NO. 83-13725
 CLERK: [Signature]
 NOTES BY: J. Blum
[Signature]

BUCKS COUNTY PRISON

On Information No. 19 the Court (having received or waives a pre-sentence investigation) orders and directs that the defendant pay the cost of prosecution and undergo imprisonment in the Bucks County Prison for not less than _____ nor more than _____ and stand committed until sentence is completed with. Credit is to be given for all time spent in custody as is provided for by Sec. 1350 of the Sentencing Code of 1974 and by Pa. Rule of Criminal Procedure 1406 (b) and (c).

STATE PENITENTIARY

On Information No. 1375 1983 the Court (having received or waives a pre-sentence investigation) orders and directs that the defendant pay the cost of prosecution and undergo imprisonment for not less than 7 1/2 years nor more than 15 years in a State Correctional Institution as shall be designated by the Bureau of Correction and, therefore, sent to the Correction Diagnostic and Classification Center in Graterford, Pa., for this purpose. Credit is to be given for all time spent in custody as is provided for by Sec. 1350 of the Sentencing Code of 1974 and by Pa. Rule of Criminal Procedure 1406 (b) and (c). Defendant is directed to stand committed until judgment be fully complied with.

On Information No. _____, the defendant having waived his right to a speedy trial is released on probation for a period of _____ months upon the following conditions. Defendant is directed to pay court costs and make restitution in the sum of \$ _____ within a period of _____ months, and shall follow all specific conditions as hereinafter set forth.

On Information No. _____, 19____, the defendant is released on probation for a period of _____ under the supervision of the (Bucks County Probation Officer or State Parole Board) from the following conditions. Defendant to pay cost of prosecution and in lieu of a fine pay \$ _____ for the use of the County of Bucks (and make restitution in the sum of \$ _____ in monthly installments of \$ _____ by making payment to his probation officer) and abide by the rules and regulations laid down by his probation officer, obey the law in all other respects and stand committed until the same be completed with.

BENCH WARRANT

Upon motion of the District Attorney a bench warrant is issued for the attachment of _____

CONSECUTIVE SENTENCES

The sentence heretofore imposed on Information No. _____ is to begin and take effect at the expiration of the minimum sentence imposed on Information No. _____, 19____, and, therefore, the sentence to be served by the defendant for the total of all offenses with respect to which sentence is imposed is a minimum of not less than _____ years or a maximum of _____ years.

SUSPENDED SENTENCE

On Information No. _____, 19____ defendant is directed to pay the cost of prosecution and sentence is suspended.

SENTENCE - WOMEN - HUNCY

The Court finding the defendant _____ to be a female over the age of 16 years, (having received or waives a pre-sentence investigation) orders and directs the defendant to pay the cost of prosecution and further directs that she undergo confinement in the State Industrial Home for Women at Huncy, Pa., for a period of not less than _____ years nor more than _____ years and there to be fed, clothed and treated in all respects as provided by law and stand committed until the same be completed with. Credit is to be given for all time spent in custody as is provided for by Sec. 1350 of the Sentencing Code of 1974 and by Pa. Rule of Criminal Procedure 1406 (b) and (c).

GUILTY WITHOUT FURTHER PENALTY

On Information No. _____, 19____, the Court finding that and lawful purpose would be served by imposing an order of probation, the Court hereby orders and directs the defendant to pay the cost of prosecution and imposes the sentence of guilty without further penalty.

FINE ONLY

On Information No. _____, 19____, the Court finding that the defendant is able to pay a fine, orders and directs the defendant to pay the cost of prosecution and a fine in the sum of \$ _____ to the Commonwealth for the use of the (State Treasurer or the County of Bucks). The total fine and costs are to be paid in _____ equal monthly installments of \$ _____.

SPECIAL PROVISIONS:

Cats within 6 Mo. of release
Concurrent with 83-13722
83-13723
83-13724
83-13725

Order for Time same

BUREAU

PROS:

OTN:

SURCHARGE:

BUCKS COUNTY
SENTENCE SHEET

ACCOMPANYING CASES:

COMMONWEALTH V. Charles CarleyNO. 83-1373JUDGE: G.T. KellerCLERK: D. [unclear]D.A. R. GoldsteinNOTES BY: V. BlumPD/DEF T. [unclear]DATE: 12/7/83

BUCKS COUNTY PRISON

On Information No. 19 the Court (having received or waives a pre-sentence investigation) orders and directs that the defendant pay the cost of prosecution and undergo imprisonment in the Bucks County Prison for not less than 1 nor more than 1 and stand committed until sentence is complied with. Credit is to be given for all time spent in custody as is provided for by Sec. 1360 of the Sentencing Code of 1974 and by Pa. Rule of Criminal Procedure 1406 (b) and (c).

STATE PENITENTIARY

On Information No. 1374 1983 the Court (having received or waives a pre-sentence investigation) orders and directs that the defendant pay the cost of prosecution and undergo imprisonment for not less than 7 1/2 years nor more than 15 years in a State Correctional Institution as shall be designated by the Bureau of Correction and, therefore, sent to the Correction Diagnostic and Classification Center in Graterford, Pa., for this purpose. Credit is to be given for all time spent in custody as is provided for by Sec. 1360 of the Sentencing Code of 1974 and by Pa. Rule of Criminal Procedure 1406 (b) and (c). Defendant is directed to stand committed until judgment be fully complied with.

AND

On Information No. 19 the defendant having waived his right to a speedy trial is released on probation for a period of 12 months upon the following conditions. Defendant is directed to pay court costs and make restitution in the sum of \$ within a period of 12 months, and shall follow all specific conditions as hereinafter set forth.

ON INFORMATION NO. 19,

the defendant is released on probation for a period of 12 months under the supervision of the (Bucks County Probation Officer or State Parole Board) from the following conditions. Defendant to pay cost of prosecution and in lieu of a fine pay \$ for the use of the County of Bucks (and make restitution in the sum of \$ in monthly installments of \$ by making payment to his probation officer) and abide by the rules and regulations laid down by his probation officer, obey the law in all other respects and stand committed until the same be complied with.

BENCH WARRANT

Upon motion of the District Attorney a bench warrant is issued for the attachment of

CONSECUTIVE SENTENCES

The sentence heretofore imposed on Information No. 19, and, therefore, by the defendant for the total of all offenses is imposed in a minimum of not less than years.

SUSPENDED SENTENCE

On Information No. 19 the sentence of prosecution and sentence is suspended.

SENTENCE - WOMEN - HUNCY

The Court finding the defendant over the age of 16 years, (having received or waives a pre-sentence investigation) orders and directs the defendant to pay the cost of prosecution and stand committed until sentence is complied with. Credit is to be given for all time spent in custody as is provided for by Sec. 1360 of the Sentencing Code of 1974 and 1406 (b) and (c).

GUILTY WITHOUT FURTHER PENALTY

On Information No. 19, the purpose would be served by imposing an order of probation and directs the defendant to pay the cost of the sentence of guilty without further penalty.

FINE ONLY

On Information No. 19, the defendant is able to pay a fine orders and directs the cost of prosecution and a fine in the sum of \$ use of the (State Treasurer or the County of Bucks) are to be paid in equal monthly payments.

SPECIAL PROVISIONS:

Costs within 6 mos of
Concurrent with 83 -
83 -
83 -
83 -
10 -
From Credit for Time

OS: 1373-1374
 RECHARGE: 1373-1374
 BUCKS COUNTY SENTENCE SHEET
 INFORMATION NO. 1373-1374
 C. ERK: D. J. [Signature]
 NOTES BY: V. B. [Signature]
 A. R. [Signature]
 /DET T. [Signature]
 DATE: 12/13
[Signature]

ON INFORMATION NO. 1373 the Court (having received or waived pre-sentence investigation) orders and directs that the defendant pay the cost of prosecution and undergo imprisonment in the Bucks County Prison for not less than 10 years nor more than 10 years in a State Correctional Institution as shall be designated by the Board of Correction and, therefore, sent to the Correction Diagnostic and Classification Center in Graterford, Pa., for this purpose. Credit is to be given for all time spent in custody as is provided for by Sec. 1360 of the Sentencing Code of 1974 and Pa. Rule of Criminal Procedure 1406 (b) and (c).

STATE PENITENTIARY

On Information No. 1373 the Court (having received or waived pre-sentence investigation) orders and directs that the defendant pay the cost of prosecution and undergo imprisonment for not less than 5 years nor more than 10 years in a State Correctional Institution as shall be designated by the Board of Correction and, therefore, sent to the Correction Diagnostic and Classification Center in Graterford, Pa., for this purpose. Credit is to be given for all time spent in custody as is provided for by Sec. 1360 of the Sentencing Code of 1974 and by Pa. Rule of Criminal Procedure 1406 (b) and (c). Defendant is directed to stand committed until judgment be fully complied with.

On Information No. 1373 the defendant having waived his right to a speedy trial is released on probation for a period of 12 months upon the following conditions. Defendant is directed to pay court costs and make restitution in the sum of \$ 111.62 within a period of 12 months, and shall follow all specific conditions as hereinafter set forth.

INFORMATION NO. 1373
 the defendant is released on probation for a period of 12 months under the supervision of the (Bucks County Probation Officer State Parole Board) from the following conditions. Defendant to pay cost of prosecution and in lieu of a fine pay \$ 111.62 for the use of the county of Bucks (and make restitution in the sum of \$ 111.62 in monthly installments of \$ 111.62 by making payment to his probation officer) and by the rules and regulations laid down by his probation officer, obey the law in all other respects and stand committed until the same be complied with.

BENCH WARRANT

Upon motion of the District Attorney a bench warrant is issued for the attachment of

CONSECUTIVE SENTENCES

The sentence heretofore imposed on Information No. 1576 1983 is to begin and take effect at the expiration of the minimum sentence imposed on Information No. 1372 1983, and, therefore, the sentence to be served by the defendant for the total of all offenses with respect to which sentence is imposed is a minimum of not less than 12 1/2 years or a maximum of 23 years. # Plus 1373, 4, 5 of 1983 and 1573 and 12917 ns

SUSPENDED SENTENCE 12-8-83 defendant is directed to pay the cost of prosecution and sentence is suspended.

SENTENCE - WOMEN - HUNCY

The Court finding the defendant to be a female over the age of 16 years, (having received or waived a pre-sentence investigation) orders and directs the defendant to pay the cost of prosecution and further directs that she undergo confinement in the state industrial home for women at Huncy, Pa., for a period of not less than 12 1/2 years nor more than 23 years and there to be fed, clothed and treated in all respects as provided by law and stand committed until the same be complied with. Credit is to be given for all time spent in custody as is provided for by Sec. 1360 of the Sentencing Code of 1974 and by Pa. Rule of Criminal Procedure 1406 (b) and (c).

GUILTY WITHOUT FURTHER PENALTY

On Information No. 19, the Court finding that no useful purpose would be served by imposing an order of probation, the Court hereby orders and directs the defendant to pay the cost of prosecution and impose the sentence of guilty without further penalty.

FINE ONLY

On Information No. 19, the Court finding that the defendant is able to pay a fine orders and directs the defendant to pay the cost of prosecution and a fine in the sum of \$ 111.62 to the Commonwealth for the use of the (State Treasurer or the County of Bucks). The total fine and costs are to be paid in equal monthly installments.

SPECIAL PROVISIONS:

Costs with 6 mo of release 12-8-83

Consecutive to 1373-1374

111.62
83-1372
83-1373
83-1374
83-1375
83-1513
83-1241

Credit for time served

PROS: BUCKS COUNTY
 SURCHARGE: SENTENCE SHEET

OTM: ACCOMPANYING CASES: 83-1375-1516
1375-1375-1516
12-41

COHONHEALTH V. Charles H. Hefner
 NO. 83-1516

JUDGE: G. T. Helton
 CLERK: D. H.

D.A. R. Hefner
 NOTES BY: J. Blum

PD/DET T. Thompson

DATE: George J. Helton

BUCKS COUNTY PRISON

On Information No. 19 the Court (having received or waives a pre-sentence investigation) orders and directs that the defendant pay the cost of prosecution and undergo imprisonment in the Bucks County Prison for not less than 15 years nor more than 15 years and stand committed until sentence is complied with. Credit is to be given for all time spent in custody as is provided for by Sec. 1360 of the Sentencing Code of 1974 and by Pa. Rule of Criminal Procedure 1406 (b) and (c).

STATE PENITENTIARY

On Information No. 1513 the Court (having received or waives a pre-sentence investigation) orders and directs that the defendant pay the cost of prosecution and undergo imprisonment for not less than 7 1/2 years nor more than 15 years in a State Correctional Institution as shall be designated by the Bureau of Correction and, therefore, sent to the Correction Diagnostic and Classification Center in Graterford, Pa., for this purpose. Credit is to be given for all time spent in custody as is provided for by Sec. 1360 of the Sentencing Code of 1974 and by Pa. Rule of Criminal Procedure 1406 (b) and (c). Defendant is directed to stand committed until judgment be fully complied with.

ARD

On Information No. 19 the defendant having waived his right to a speedy trial is released on probation for a period of 12 months upon the following conditions. Defendant is directed to pay court costs and make restitution in the sum of \$ 1375 within a period of 12 months, and shall follow all specific conditions as hereinafter set forth.

ON INFORMATION NO. 19, the defendant is released on probation for a period of 12 months under the supervision of the (Bucks County Probation Officer or State Parole Board) from the following conditions. Defendant to pay cost of prosecution and in lieu of a fine pay \$ 1375 for the use of the County of Bucks (and make restitution in the sum of \$ 1375 in monthly installments of \$ 114.58 by making payment to his probation officer) and abide by the rules and regulations laid down by his probation officer, obey the law in all other respects and stand committed until the same be complied with.

BENCH WARRANT

Upon motion of the District Attorney a bench warrant is issued for the attachment of _____.

CONSECUTIVE SENTENCES

The sentence heretofore imposed on Information No. 19 is to begin and take effect at the expiration of the minimum sentence imposed on Information No. 19 and, therefore, the sentence to be served by the defendant for the total of all offenses with respect to which sentence is imposed is a minimum of not less than 1375 years or a maximum of 1375 years.

SUSPENDED SENTENCE

On Information No. 19 defendant is directed to pay the cost of prosecution and sentence is suspended.

SENTENCE - WOMEN- HUNCY

The Court finding the defendant to be a female over the age of 16 years, (having received or waives a pre-sentence investigation) orders and directs the defendant to pay the cost of prosecution and further directs that she undergo confinement in the state industrial home for women at Huncy, Pa., for a period of not less than 1375 years nor more than 1375 years and there to be fed, clothed and treated in all respects as provided by law and stand committed until the same be complied with. Credit is to be given for all time spent in custody as is provided for by Sec. 1360 of the Sentencing Code of 1974 and by Pa. Rule of Criminal Procedure 1406 (b) and (c).

GUILTY WITHOUT FURTHER PENALTY

On Information No. 19, the Court finding that no useful purpose would be served by imposing an order of probation, the Court hereby orders and directs the defendant to pay the cost of prosecution and imposes the sentence of guilty without further penalty.

FINE ONLY

On Information No. 19, the Court finding that the defendant is able to pay the orders and directs the defendant to pay the cost of prosecution and fine in the sum of \$ 1375 to the Commonwealth for the use of the (State Treasurer or the County of Bucks). The total fine and costs are to be paid in 12 equal monthly installments.

SPECIAL PROVISIONS:

Costs with 60 days of release
 Concurrent with 83-1241
83-1372
83-1373
83-1374
83-1375 997.
 Credit for Time Served

PROS:

OTN:

SURCHARGE:

ACCOMPANYING CASES:

BUCKS COUNTY
SENTENCE SHEETCOMMONWEALTH V. Charles KelleyNO. D3-1241JUDGE: G. T. KeltnerCLERK: D. J. [unclear]D.A. R. G. [unclear]NOTES BY: V. B. [unclear]PD/DEF T. ThompsonDATE: 12/7/83[Signature]

BUCKS COUNTY PRISON

On Information No. 19 the Court (having received or waives a pre-sentence investigation) orders and directs that the defendant pay the cost of prosecution and undergo imprisonment in the Bucks County Prison for not less than nor more than and stand committed until sentence is complied with. Credit is to be given for all time spent in custody as is provided for by Sec. 1360 of the Sentencing Code of 1974 and by Pa. Rule of Criminal Procedure 1406 (b) and (c).

STATE PENITENTIARY

On Information No. 1241 1983 the Court (having received or waives a pre-sentence investigation) orders and directs that the defendant pay the cost of prosecution and undergo imprisonment for not less than years nor more than years in a State Correctional Institution as shall be designated by the Bureau of Correction and, therefore, sent to the Correction Diagnostic and Classification Center in Graterford, Pa., for this purpose. Credit is to be given for all time spent in custody as is provided for by Sec. 1360 of the Sentencing Code of 1974 and by Pa. Rule of Criminal Procedure 1406 (b) and (c). Defendant is directed to stand committed until judgment be fully complied with.

ARRB

On Information No. 19 the defendant having waived his right to a speedy trial is released on probation for a period of months upon the following conditions. Defendant is directed to pay court costs and make restitution in the sum of \$ within a period of months, and shall follow all specific conditions as hereinafter set forth.

ON INFORMATION NO. 19,

the defendant is released on probation for a period of under the supervision of the (Bucks County Probation Officer or State Parole Board) from the following conditions. Defendant to pay cost of prosecution and in lieu of a fine pay \$ for the use of the County of Bucks (and make restitution in the sum of \$ in monthly installments of \$ by making payment to his probation officer) and abide by the rules and regulations laid down by his probation officer, obey the law in all other respects and stand committed until the same be complied with.

BENCH WARRANT

Upon motion of the District Attorney attachment of

CONSECUTIVE SENTENCES

The sentence heretofore imposed on begin and take effect at the expiration of Information No. 19, and, therefore, by the defendant for the total of all offenses imposed is a minimum of not less than years.

SUSPENDED SENTENCE

On Information No. 19 of prosecution and sentence is suspended.

SENTENCE - WOMEN - MUNCY

The Court finding the defendant over the age of 16 years, (having received or waives a pre-sentence investigation) orders and directs the defendant to be committed to the Muncy Prison for Women at Muncy, Pa., for a period of not less than years and there to be fed, clothed, and provided by law and stand committed until sentence is complied with. Credit is to be given for all time spent in custody as is provided for by Sec. 1360 of the Sentencing Code of 1974 and by Pa. Rule of Criminal Procedure 1406 (b) and (c).

GUILTY WITHOUT FURTHER PENALTY

On Information No. 19, purpose would be served by imposing an order and directs the defendant to pay the sentence of guilty without further penalty.

FINE ONLY

On Information No. 19, the defendant is able to pay a fine orders and directs the defendant to pay a fine in the sum of \$ for the use of the (State Treasurer or the County Treasurer) and shall follow all specific conditions as hereinafter set forth.

SPECIAL PROVISIONS:

Commitment to Muncy Prison within 6 months
Concurrent to other sentence
Credit for time served